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Presentment Date: November 9, 2011

Time: 12:00 p.m.

Objections Due: November 9, 2011

Time: 11:00 a.m.

*Attorneys for Irving H. Picard, Esq., Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF PRESENTMENT OF MOTION FOR AN ORDER  
APPROVING THE RETENTION OF BROWNE JACOBSON  
LLP AS SPECIAL COUNSEL *NUNC PRO TUNC* AS OF OCTOBER 27, 2011**

**PLEASE TAKE NOTICE** that upon the motion of Irving H. Picard, as trustee  
("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment

Securities LLC and the estate of Bernard L. Madoff, for entry of an order approving the retention of Browne Jacobson LLP, as special counsel to the Trustee, *nunc pro tunc*, as of October 27, 2011, the undersigned will present the attached motion (the “Motion”) and proposed order (the “Order”) to the Honorable Burton R. Lifland, United States Bankruptcy Judge, for signature and entry on **November 9, 2011 at 12:00 noon**.

**PLEASE TAKE FURTHER NOTICE**, that objections, if any, to the Motion (“Objections”), shall (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders; (iii) specify the name of the objecting party and state with specificity the basis of the objection(s) and the specific grounds therefore; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of the Honorable Burton R. Lifland, One Bowling Green, New York, New York 10004; and (v) be served upon (a) Baker & Hostetler LLP, Counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Marc E. Hirschfield, Esq., and (b) the Securities Investor Protection Corporation, 805 Fifteenth Street, NW, Suite 800, Washington, DC 20005, Attn: Kevin H. Bell, Esq., so as to be received no later than **11:00 a.m. on November 9, 2011**.

**PLEASE TAKE FURTHER NOTICE**, that in the event any Objections are timely served and filed, a hearing may be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

**PLEASE TAKE FURTHER NOTICE**, that, unless Objections are timely served and  
filed, the proposed Order may be signed without a hearing.

Dated: New York, New York  
November 1, 2011

Respectfully submitted,

/s/ Marc E. Hirschfield

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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
Bernard L. Madoff*